

UNITED STATES DISTRICT COURT

Northern District of California

Oakland Division

OPERATING ENGINEERS PENSION
TRUST FUND, *et al.*,

Plaintiffs,

v.

TERRASEARCH, *et al.*,

Defendants.

No. C 10-04964 SBA (LB)

**ORDER SETTING STATUS
CONFERENCE**

[ECF No. 18]

At the May 26, 2011 hearing on Plaintiffs' motion for default judgment, ECF No. 18, Terrasearch made its initial appearance. Terrasearch's counsel orally requested an opportunity to file a motion to vacate the default and to oppose default judgment.

Given this development, the court defers its report and recommendation on Plaintiffs' motion for default judgment. *See United States v. Mesle*, 615 F.3d 1085, 1091 (9th Cir. 2010) (standard for setting aside entry of default). Defendants' counsel will file his motion before the district court.

Given the procedural posture of this default judgment case (including prior written and telephone communications with Defendants and personal service on them), the court sets a status conference for June 23, 2010 at 10:30 a.m. on its regular case management calendar in Courtroom 4, 1301 Clay Street, Oakland, California. *See* Declaration of Shaamini A. Babu, ECF No. 19 at 3, ¶ 12, and ECF No. 29-1 at 3 (client billing records showing calls on December 14, 2010 and April 28, 2011 about default judgment and need for counsel). If the case is proceeding before Judge Armstrong, or if the

1 briefing schedule means that another date makes more sense, the parties may alter this date by
2 stipulation after considering the court's online calendar.

3 **IT IS SO ORDERED.**

4 Dated: May 26, 2011

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7 LAUREL BEELER
8 United States Magistrate Judge
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